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March 6, 1995

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VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: IC Docket No. 94-31

Dear Mr. Caton:

On behalf of the United States Satellite Broadcasting Company, Inc. ("USSB"), we are filing and original and seven (7) copies of its Comments in the above proceeding.

If additional information is needed, the Commission's staff is requested to communicate with us.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.

Leonard R. Raish
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Counsel for United States Satellite
Broadcasting Company, Inc.

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Enclosures

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)
)
Preparation for International) IC Docket No 94-31
Telecommunication Union World)
Radiocommunication Conferences)

To The Commission

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COMMENTS OF UNITED STATES SATELLITE BROADCASTING COMPANY, INC. (USSB)

The United States Satellite Broadcasting Company, Inc. (USSB), through its attorneys, submits the comments below with regard to the Second Notice of Inquiry ("Second Notice") in the above cited Docket. In the comments below, USSB addresses Section B2 of the Second Notice dealing with Appendices 30 and 30A and Section D4 dealing with the Conference Preparatory processes used in the U.S.

I. GENERAL

USSB is licensed by the Commission to operate a Direct Broadcasting Satellite (DBS) system at 101° WL. DBS service commenced on June 17, 1994 and when fully operational at 101° WL will offer approximately 150 to 200 channels of programming (from two satellites), of which approximately 25 channels will be provided by USSB.

USSB is a subsidiary of the Hubbard Broadcasting, Inc. Ownership of the first satellite launched at 101° is shared by USSB and Hughes Communications Galaxy, Inc. (Hughes), a subsidiary of GM Hughes Electronics. The second satellite is owned by Hughes.

II. RECOMMENDATIONS OF THE IAC SUPPORTED

USSB through its attorney participated in the work of the IAC. For this reason the discussion

in Paragraphs 77-81 of the Second Notice are concurred in, including the IAC recommendations cited in paragraph 80. USSB also participates in the work of the U.S. Working party 10-11S and plans to continue to do so. In concurring with paragraph 80, USSB feels the matter of inter-regional sharing criteria needs to be monitored carefully to assure the IAC recommendation "to protect Region 2 assignments as implemented from revised assignments for Regions 1 and 3 "is actually carried out. As regards revision of Appendices 30 and 30A as regards Regions 1 and 3 at WARC-97, note needs to be taken that Region 2 assignments are actually entitled only to the protection available under the Plans as presently drafted.

Continuing, DBS systems in the U.S., i.e., USSB and DirecTV, use different and lower EIRPs plus wider receiver beamwidths than provided for in the Region 2 Plan. For this reason, the U.S. systems would be more likely to receive interference than if they had been fully in accord with the Region 2 Plan. Hence there is a requirement that the U.S. monitor closely and even participate in the revision of the Region 1 and 3 Plans, assuming such action is agreed at WRC-95.

USSB notes the request for comment at the end of paragraph 82 as to whether the "U.S. should propose to WRC-95 that WRC-97 be given appropriate limited competence to revise the Radio Regulations to ensure these recommendations apply to Region 2." While Working Party 10-11S is considering proposals to modify inter-Regional sharing criteria and to increase flexibility, these proposals require further study on the part of the U.S. prior to considering them for approval. For the time being, USSB urges the matter of extending limited competence to WRC-97 to revise the Radio Regulations as they would apply to Region 2 be held in abeyance to permit time for further study. (N.B.: further study could prove that Region 2 would benefit but that is not a certainty

at this point). The basic consideration should be that the U.S. not lose any of the capacity now available under the Region 2 portion of Appendices 30/30A.

III. CONFERENCE PREPARATORY PROCESSES

USSB concurs with the IAC concept as a means for obtaining expeditiously views of the private sector for use in U.S. preparations for WRCs. Note is taken the Commission has established its new International Bureau and the Department of State has established its International Telecommunications Advisory Committee (ITAC). Both of these actions will help in coping with the short time frames available between WRCs.

As seen by USSB, the preparation problem becomes one of not only how to cope with preparations for WRC's occurring every two years but also with the multitude of Sub-Committees, working groups, and advisory committees (many of them international themselves) that are necessary to make those preparations effective. Because of the short time available and the importance of thorough preparation for WRC's to U.S. interest, methods must be found to accomplish more with the resources available. Also with so much preparatory activity compressed in the short time between WRC's, there is a continuing concern that the many on-going efforts remain coordinated to avoid conflicts in the presentation of U.S. proposals in the international arena. The reference in Paragraph 107 of the Second Notice to an AMSC recommendation that would establish "a joint committee of FCC and NTIA representatives that would be open to members of

the private sector to jointly study issues under consideration for WRC agendas" is mentioned as a matter for further thought.

VI. CONCLUSION

Noting the foregoing, the Commission is urged to proceed with its preparation for WRC-95.

Respectfully submitted,

UNITED STATES SATELLITE
BROADCASTING COMPANY, INC.

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Date: March 6, 1995

CEJ/LRR/R#4/USSB.PLEADING